

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

JAMES MATHIEU,)
)
Plaintiff,)
)
v.) Case No. CIV-21-287-JWD
)
COLTON ROBERTSON,)
)
Defendant.)

FINDINGS AND RECOMMENDATION

This matter comes before the Court on consideration of Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Docket Entry #4). This Motion was referred to the undersigned for the entry of Findings and a Recommendation by United States District Judge Jodi Warmbrod Dishman, who presides over this case.

In accordance with the referral, this Court reviewed Plaintiff's submission with the Motion and found that Plaintiff had provided insufficient information for the Court to evaluate his qualification for *in forma pauperis* status. To that end, this Court entered a minute order on October 13, 2021 directing that Plaintiff complete and file the *in forma pauperis* form and affidavit on this Court's website in order to provide further information for evaluation of his financial status.

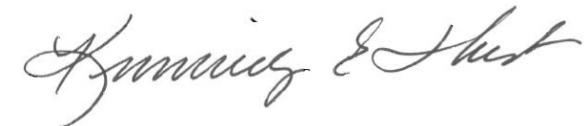
Because of his *pro se* status, the minute order was served by first class mail, return receipt requested. The receipt indicated

that Plaintiff received the minute order on October 26, 2021. Despite this fact, Plaintiff failed to file the form and affidavit by November 3, 2021 as ordered. As a result, this Court has not been provided with Plaintiff's financial information as required to evaluate his request to proceed *in forma pauperis*.

IT IS THE RECOMMENDATION OF THE UNDERSIGNED that Plaintiff be required to submit the required filing fee by a date certain and that if the fee is not submitted by that date, this action be dismissed without prejudice for the failure to comply with 28 U.S.C. § 1914(a) and EDOK LCvR 3.2. The Clerk is directed to serve these Findings and Recommendation upon Plaintiff at his last known address of record by first class mail, return receipt requested.

The parties are herewith given fourteen (14) days from the date of the service of these Findings and Recommendation to file with the Clerk of the Court any objections, with supporting brief.

IT IS SO ORDERED this 14th day of December, 2021.



KIMBERLY E. WEST
UNITED STATES MAGISTRATE JUDGE